IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3347 OF 2006

M/s.Ramniranjan Kedia Tourism Services Pvt.Ltd. Applicant
versus
Pawan Suresh Gupta & others Respondents

P.R.Dave for applicant.
R.Y.Mirza, APP for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th September 2006

PC :

1. Heard Shri Dave appearing for petitioner and Shri Mirza for respondent no.3 State.

2. Respondents 1 and 2 apprehending their arrest in MECR No.5 of 2001 alleging offences of forgery and cheating so also punishable under Motor Vehicles Act, applied for anticipatory bail. Their Anticipatory Bail Application No.507 of 2006 has been allowed by the learned Additional Sessions Judge on 10th August 2006.

3. This order of the learned Additional Sessions

Judge granting pre-arrest bail to respondents 1 and 2, is challenged by the original complainant-applicant before me. The applicant invokes the powers of this Court u/s 482 of the Cr.P.C.

4. After I heard Shri Dave for some time and perused with his assistance the annexures to the application so also the impugned order, I am of the view that this is not a fit case for interference in this Court's jurisdiction u/s 482 of Cr.P.C.. Admittedly, the applicant-original complainant was heard by learned Additional Sessions Judge. All that the learned Sessions Judge has held after reproducing rival contentions is that the civil proceedings are pending, all documents having been filed therein and are part of record so also in possession of the investigating machinery, custodial interrogation of respondents 1 and 2 is not necessary. In my view, there is neither any perversity nor error apparent so also it is not pointed out as to how the order of learned Judge is vitiated warranting interference in this Court's inherent jurisdiction. Application is dismissed.

5. Needless to state that all observations made by learned Additional Sessions Judge are purely for the purposes of disposal of the anticipatory bail application and shall not influence the out come of the proceedings nor shall constitute any impediment in further investigations. The Court while trying the case, shall not be influenced in any manner by such observations nor dismissal of the instant application.

(S.C.DHARMADHIKARI, J.)